

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CR. NO. 2:05cr204-C
)	
BILLY R. MERCER, JR.)	

FINAL ORDER OF FORFEITURE

On February 24, 2006, this Court entered a Preliminary Order of Forfeiture, ordering defendant Billy R. Mercer, Jr. to forfeit One Davis Industries .380 Caliber Pistol, bearing serial number AP 392840;

The United States published in the Montgomery Advertiser newspaper notice of this forfeiture and of its intent to dispose of the firearm in accordance with the law and as specified in the Preliminary Order, and further notifying all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the firearm;

No timely petition has been filed; and,

The Court finds that the defendant had an interest in the firearm that is subject to forfeiture pursuant to Title 18, United States Code, Section 924 and Title 28, United States Code, Section 2461(c). That the United States has established the requisite nexus between such firearm in the commission of the violation of Title 18, United States Code, Section 924(c) (1).

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. The Davis Industries .380 Caliber Pistol, bearing serial number AP 392840 is hereby forfeited to the United States pursuant to Title 18, United States Code, Section 924 and Title 28, United States Code, Section 2461(c).

2. All right, title and interest to the firearm described above is hereby condemned, forfeited and vested in the United States, and shall be disposed of according to law; and,

3. The United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order.

SO ORDERED this the ____ day of _____, 2006.

UNITED STATES DISTRICT JUDGE